

**ORIGINAL**

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

In the Matter of )  
 )  
Amendment of Section 73.202(b) )  
Table of Allotments ) RM-  
FM Broadcast Channels )  
Union City, Tennessee and )  
Chaffee, Missouri )

RECEIVED

AUG 5 1994

To: Chief, Mass Media Bureau

**PETITION FOR RULE MAKING  
AND ORDER TO SHOW CAUSE**

Twin States Broadcasting, Inc. ("Twin States"), by its attorneys, hereby submits its Petition for Rule Making and Order to Show Cause, requesting that the Commission amend Section 73.202(b) of its Rules, to upgrade FM Channel 285A to Channel 284C2 at Union City, Tennessee, and to substitute Channel 230A for Channel 284A at Chaffee, Missouri, as follows:

	<u>Present</u>	<u>Proposed</u>
Union City, TN	285A, 289A	284C2, 289A
Chaffee, MO	284A	230A

Twin States further requests that its license to operate Station KWKT(FM), Union City, Tennessee, be modified to specify operation on Channel 284C2. In support thereof, the following is stated:

No. of Copies rec'd  
List A B C D E

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Twin States is licensee of Class A FM Station WKWT(FM), Union City, Tennessee, which operates on Channel 285A. It wishes to upgrade that facility to operate on first adjacent Channel 284C2 at Union City, in order to serve a greater area and population and to utilize its frequency more efficiently. As shown in the Technical Exhibit attached as Attachment A hereto, this proposal is fully consistent with the Commission's Rules, except that the upgraded station would be short-spaced to Station KYRX(FM), Chaffee, Missouri, which presently operates on Cochannel 284A. This limitation would be eliminated, however, if Station KYRX(FM) were to instead operate at its current transmitter site on Channel 230A.

Twin States represents that it will promptly file an application to operate Station WKWT(FM) on Channel 284C2 once the Commission assigns that channel to Union City, Tennessee, and modifies the WKWT(FM) license to specify operation on that channel. Twin States further represents that it will promptly construct and operate that improved station upon grant of such application. Twin States also agrees that it will reimburse Station KYRX(FM) for the reasonable and prudent expenses incurred as a consequence of the change in its operating frequency, pursuant to Circleville and Columbus, Ohio, 8 FCC 2d 159 (1967).

In view of the foregoing, it is respectfully requested that the Commission issue a Notice of Proposed Rule Making and Order to Show Cause, proposing the amendment of Section 73.202(b) as set forth herein, modifying the WKWT(FM) license to specify operation on Channel 284C2 and requiring the licensee of Station KYRX(FM) to show cause why its operating frequency should not be modified from Channel 284A to Channel 230A as proposed herein.<sup>1</sup>

Respectfully submitted

TWIN STATES BROADCASTING, INC.

By: *Eric S. Kravetz*  
Eric S. Kravetz  
Brown, Nietert & Kaufman  
1920 N Street, N.W.  
Suite 660  
Washington, D.C. 20036  
(202) 887-0600

Its Attorneys

Dated: August 5, 1994

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<sup>1</sup> Twin States also is licensee of Station WWUC(FM), Union City, Tennessee. As shown in the Technical Exhibit attached as Attachment B hereto, operation of WWUC(FM) and the upgraded WKWT(FM) will not contravene the Commission's multiple ownership rules.

CERTIFICATE OF SERVICE

I, Tracy A. Holden, a secretary in the law firm of Brown, Nietert & Kaufman, Chartered, do hereby certify that on this 5th day of August, 1994, I caused copies of the foregoing "PETITION FOR RULE MAKING AND ORDER TO SHOW CAUSE" to be delivered by first class mail, postage prepaid, to the person named below:

Chartres Media, Inc.  
c/o Station KYRX(FM)  
901 South Kings Highway  
Cape Girardeau, MO 63701

  
Tracy A. Holden

REQUESTED RULE MAKING  
TWIN STATES BROADCASTING  
CHANNEL 284 - CLASS C2  
UNION CITY, TENNESSEE  
JULY 1994

Technical Exhibit  
TE-1

**BROMO**  
**COMMUNICATIONS, INC.**

P. O. Box 1588  
Clayton, Georgia 30525-1588  
(706) 782-7222

**REQUESTED RULE MAKING**  
**TWIN STATES BROADCASTING**  
**CHANNEL 284 - CLASS C2**  
**UNION CITY, TENNESSEE**  
**JULY 1994**

This requested Rule Making is being filed on behalf of Twin States Broadcasting ("Twin States") ,licensee of radio station WKWT, Union City, Tennessee. WKWT presently operates on Channel 285A with 3 kW effective radiated power from 91 meters height above average terrain<sup>1</sup>. Through this Rule Making, Twin States is requesting WKWT be ordered from Channel 285A to Channel 284C2 and the deletion of 285A.

All allocation requirements of §73.207 are met or exceeded by this Twin States requested Rule Making with one exception. Exhibit #1 is the allocation study showing all of the criteria being met. The exception is spacing to KYRX, Chaffee, Missouri. §73.207 requires co-channel Class A and Class C2 stations to be 166 kilometers removed. Because this instant proposal would only allow 99.72 kilometers to KYRX, we then endeavor to find a new channel KYRX could be ordered to at its current licensed site. Exhibit #2 illustrates that Channel 230A clears all allocation restraints at the current KYRX site.<sup>2</sup> Channel 230 is one of the two IF ( Intermediate Frequency ) taboos of the current KYRX on Channel 284A. Therefore, Channel 230 is presently being precluded from use by any other party by KYRX.

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<sup>1</sup> WKWT additionally has a construction permit to operate with 6 kW at 87 meters height above average terrain from this same licensed site.

<sup>2</sup> KYRX is located at North Latitude 37° 09' 27" and West Longitude 89° 36' 20".

Exhibit #3 illustrates the Channel 284 C2 Usable Area for WKWT. The typical Class C2 city grade extends 32.5 kilometers. From the hypothetical reference site of 36° 27' 21" North Latitude and 88° 54' 27" West Longitude, the most distant Union City city limit is approximately 15 kilometers away. Therefore the entire city of Union City is served by the 70 dBu city grade signal of this proposal. Also please note from Exhibit #3 there are many, many areas where the proposed C2 supporting structure could be located. Although it is desirable to build a supporting structure that would support a center of radiation of 150 meters height above average terrain, the usable area is so close to Union City that a minimum structure could be built and still serve Union City with the city grade contours.

When Twin States is ordered to Channel 284C2 Federal Communications Commission Form 301 will be filed on a timely basis. Additionally, Twin States will reimburse Chartres Media, Inc., licensee of KYRX, Chaffee, Missouri for their reasonable expenses to change frequency to Channel 230A.

Twin States wishes to point out public interest aspects of this proposal. The proposed 60 dBu contour of Channel 284C2 100% encompasses the present Class A Construction Permit and licensed 60 dBu contour of Twin States on Channel 285A. Based on the 1990 Census the present Class A Construction Permit serves 54,518 persons in 2,237.9 square kilometers of area. The Class C2 station similarly serves 153,825 person in 8,545 square kilometers. This proposal has a gain area of 6,307.1 square kilometers and a population gain of

99,307 persons. This is also expressed as a 73.9% area gain and a 64.6% population gain.

In conclusion, it is requested that the following changes of \$73.202 be made to reflect the following:

	<u>PRESENT</u>	<u>PROPOSED</u>
Union City, Tennessee	285A, 289A	284C2, 289A
Chaffee, Missouri	284A	230A

All of the information contained herein is true and correct to the best of our knowledge and belief. All data relating to authorized, applied or proposed (FM Stations) was extracted from the NTIA database and updated on June 27, 1994. We assume no liability for omissions or errors in that database. Should any questions arise during consideration of this proposal, we would welcome the opportunity to discuss the matter by telephone at (706) 782.7222.

  
Clifton G. Moor

**Bromo Communications, Inc.**



Class C2 Upgrade  
WKWT Radio Station

REFERENCE	CLASS C2	DISPLAY DATES
36 27 21 N		DATA 06-27-94
88 54 27 W	Current rules spacings	SEARCH 07-15-94
----- CHANNEL 284 -104.7 MHz -----		

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
WKWT.C	285A	Union City	TN	301.0	3.93	106.0	-102.07 *
CPM CN	36 28 27	88 56 42	6.000 kW	87M	2.4	65.9	
Reelfoot Broadcasting, Inc.					BMPH920331IG		
WKWT	285A	Union City	TN	301.0	3.93	106.0	-102.07 *
LI CN	36 28 27	88 56 42	3.000 kW	91M	2.4	65.9	
Reelfoot Broadcasting, Inc.					BLH6413		
KYMOFM	287A	East Prairie	MO	313.4	55.10	55.0	0.10 <
LI CN	36 47 49	89 21 19	3.000 kW	63M	34.2	34.2	
Usher Broadcasting Company					BLH910709KB		
WRVRFM	283C1	Memphis	TN	209.8	166.37	158.0	8.37
LI CN	35 09 17	89 49 20	100.000 kW	229M	103.4	98.2	
Keymarket Communications					BLH6379		
WTNV	281C1	Jackson	TN	175.7	90.11	79.0	11.11
LI DEN	35 38 46	88 49 57	100.000 kW	201M	56.0	49.1	
Currey Broadcasting Corporati					BLH7816		
WLSZ	287A	Humboldt	TN	179.6	67.82	55.0	12.82
LI CN	35 50 41	88 54 08	3.000 kW	100M	42.2	34.2	
Boyd Enterprises, Inc.					BLH890126KA		
WAVJ	285A	Princeton	KY	51.8	119.18	106.0	13.18
LI CN	37 07 14	87 51 31	6.000 kW	53M	74.1	65.9	
The Princeton Broadcasting Co					BLH4354		

**C2 ALLOCATION STUDY**

THIS STUDY ASSUMES KYRX, CHAFFEE, MO IS  
RELOCATED TO CHANNEL 230A.

**EXHIBIT #1**

REQUESTED RULE MAKING  
TWIN STATES BROADCASTING  
CHANNEL 284 - CLASS C2  
UNION CITY, TENNESSEE

**JULY 1994**

**BROMO**  
COMMUNICATIONS

BROADCAST  
TECHNICAL CONSULTANTS

St Simons Island, Georgia

Washington, D.C.

KYRX Alternate Channel  
Chaffee, Missouri

REFERENCE  
37 09 27 N  
89 36 20 W

CLASS A  
Current rules spacings  
CHANNEL 230 - 93.9 MHz

DISPLAY DATES  
DATA 06-27-94  
SEARCH 07-15-19

CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
KYRX	284A	Chaffee	MO	0.0	0.00	10.0	-10.00 *
LI CN	37 09 27	89 36 20	6.000 kW	100M	0.0	6.2	
Chartres Media, Inc.					BLH920611KD		
KSPQ	230C1	West Plains	MO	265.2	205.33	200.0	5.33
LI CN	37 00 12	91 54 24	100.000 kW	198M	127.6	124.3	
KWPM, Inc.					BLH890201KC		
KKLR	233C1	Poplar Bluff	MO	239.3	85.82	75.0	10.82
LI CN	36 45 46	90 26 03	100.000 kW	246M	53.3	46.6	
Bluff City Broadcasting, Inc.					BLH890907KC		
WKYQ.C	227C1	Paducah	KY	97.8	88.92	75.0	13.92
CP CN	37 02 56	88 36 52	100.000 kW	279M	55.3	46.6	
Bristol Broadcasting Company,					BPH901029IE		
WKYQ	227C1	Paducah	KY	100.2	89.68	75.0	14.68
LI CN	37 00 53	88 36 46	89.000 kW	110M	55.7	46.6	
Bristol Broadcasting Company,					BLH810701AQ		
AP230	230A	Gosnell	AR	190.7	130.79	115.0	15.79
AP CN	35 59 57	89 52 33	6.000 kW	61M	81.3	71.5	
B and H Broadcasting Company					BPH900928MH 910319		
>Amended 901026							

KYRX ALTERNATE CHANNEL

**EXHIBIT #2**  
**REQUESTED RULE MAKING**  
**TWIN STATES BROADCASTING**  
**CHANNEL 284 - CLASS C2**  
**UNION CITY, TENNESSEE**

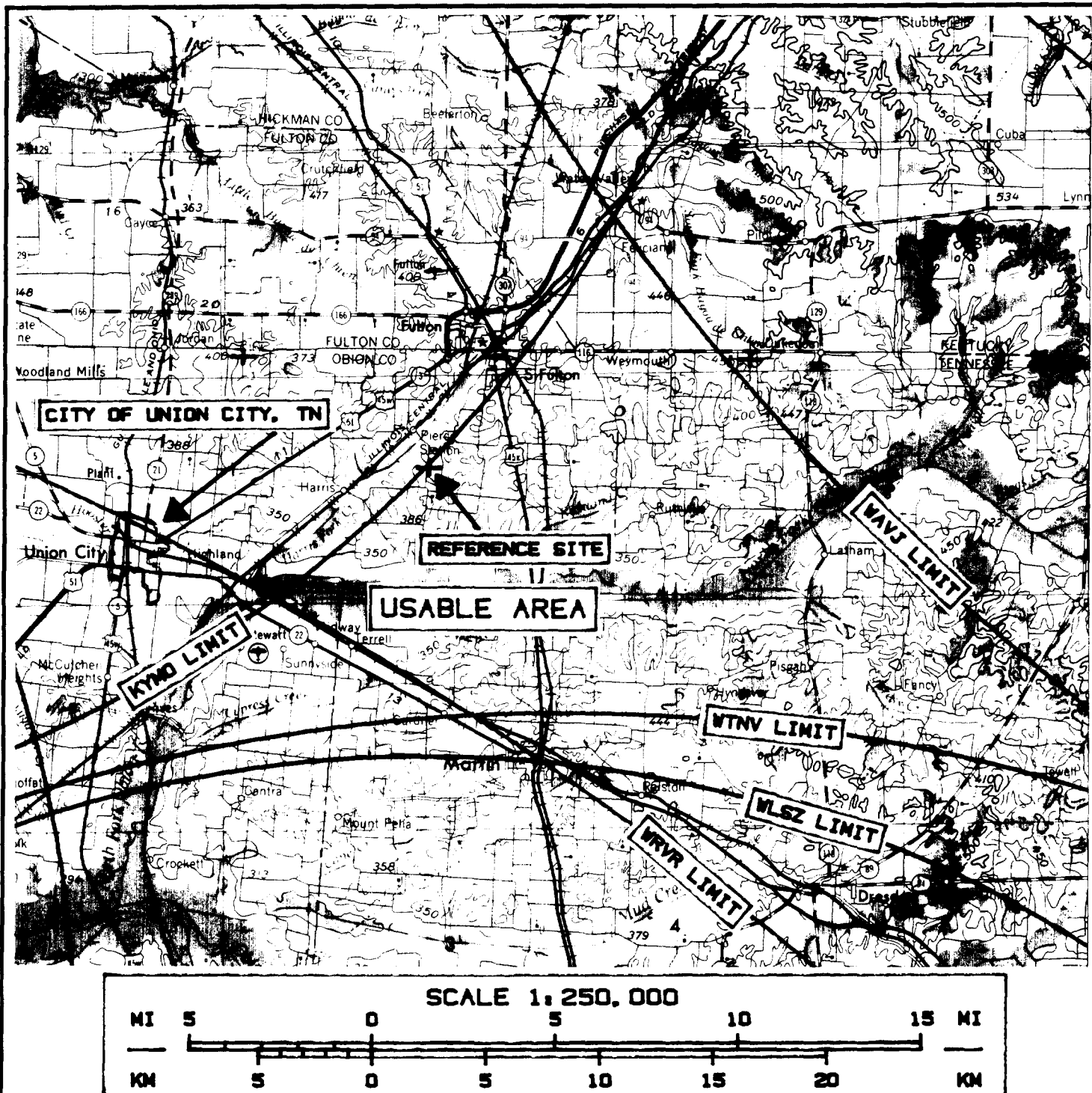
**JULY 1994**

**BROMO**  
**COMMUNICATIONS**

St Simons Island, Georgia

BROADCAST  
TECHNICAL CONSULTANTS

Washington, D.C.



### C2 USABLE AREA

MAP IS USGS DYERSBURG, TN 250,000 SCALE  
 HYPOTHETICAL REFERENCE SITE:  
 36 27 21 NORTH LATITUDE  
 88 54 27 WEST LONGITUDE

### EXHIBIT #3

REQUESTED RULE MAKING  
 TWIN STATES BROADCASTING  
 CHANNEL 284 - CLASS C2  
 UNION CITY, TENNESSEE

JULY 1994

**BROMO**  
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St Simons Island, Georgia

Washington, D.C.

**MULTIPLE OWNERSHIP COMPLIANCE  
TWIN STATES BROADCASTING, INC.  
WKWT - WWUC  
UNION CITY, TENNESSEE  
August 1994**

Twin States Broadcasting, inc. ("TSB") controls both WWUC (FM) and WKWT (FM), Union City, Tennessee. Filed simultaneous with this Multiple Ownership Compliance is a Proposed Rule Making requesting WKWT be ordered to Class C2. This Multiple Ownership Compliance assumes WKWT at Class C2 at the requested reference coordinates.

The combined WKWT - WWUC 70 dBu contour is hereinafter referred to as the "subject area". A study was conducted to determine the number of AM and FM transmitters within the subject area. Exhibit #1 indicates these locations:

1. WKWT (FM), Union City, TN (Subject )
2. WCMT-FM, Martin, TN
3. WWUC (FM), Union City, TN (Subject)
4. WWKF (FM), Fulton, KY
5. WCDZ (FM), Dresden, TN
6. WENK-AM, Union City, TN
7. WKZT-AM, Fulton, KY
8. WCMT-AM, Martin, TN

A study of nearby AM and FM stations was made to determine how many of these stations served all or part of the WKWT - WWUC subject area. Exhibit #2 demonstrates nearby AM stations whose 5.0 mV/m contour touches the subject area.:

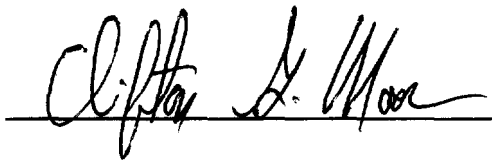
1. WNGO-AM, Mayfield, KY
2. WMUF-AM, Paris, TN

The study of nearby FM stations whose 70 dBu contour might touch the subject area was made. That exhibit is Exhibit #3:

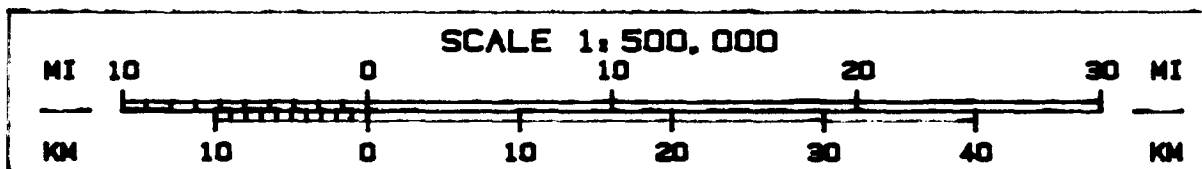
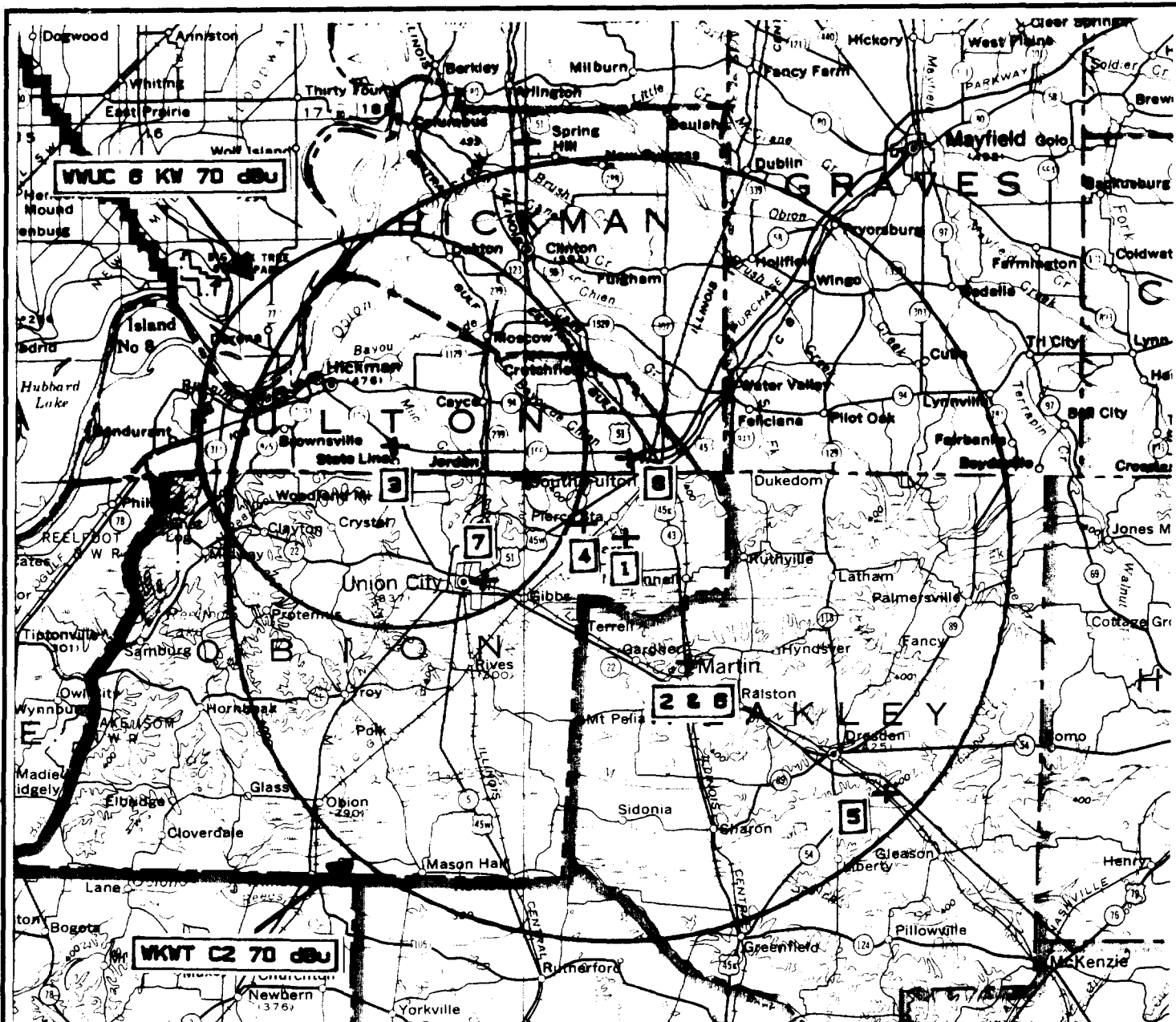
1. WYNU (FM), Milan, TN
2. WWEZ (FM), Trenton, TN
3. WWYN (FM), McKenzie, TN
4. WBLN (FM), Murray, KY

Adding the 8 stations that have transmitters within the subject area to the 2 nearby AM stations that touch the subject area with their 5.0 mV/m signal and the 4 nearby FM stations that touch the subject area with their 70 dBu signal produces a total of 14 services in the subject area. Controlling 2 of 14 stations in the subject area is control of 14.28% of the total services. As this is less than 50% of the stations in the subject area, it is thought this duopoly is permissible.

We have attempted to be as accurate as possible in the preparation of this study based on the FCC database dated June 30, 1994. Therefore any construction permits that have commenced broadcasting since that date would not be indicated. Bromo Communications, Inc. is not responsible for errors or omissions in the AM or FM databases. Every effort has been made to strive for accuracy in this study. This study is true and correct to the best knowledge of the undersigned.

A handwritten signature in black ink, appearing to read "Clifton G. Moor", is written over a horizontal line.

Clifton G. Moor  
Bromo Communications, Inc.



### TRANSMITTERS IN SUBJECT AREA

MAP IS COMPOSITE 1,500,000 USGS FOR THE STATES OF TENNESSEE, KENTUCKY AND MISSOURI.

### EXHIBIT #1

TWIN STATES BROADCASTING  
DUOPOLY STUDY  
WKWT / WWUC  
UNION CITY, TENNESSEE

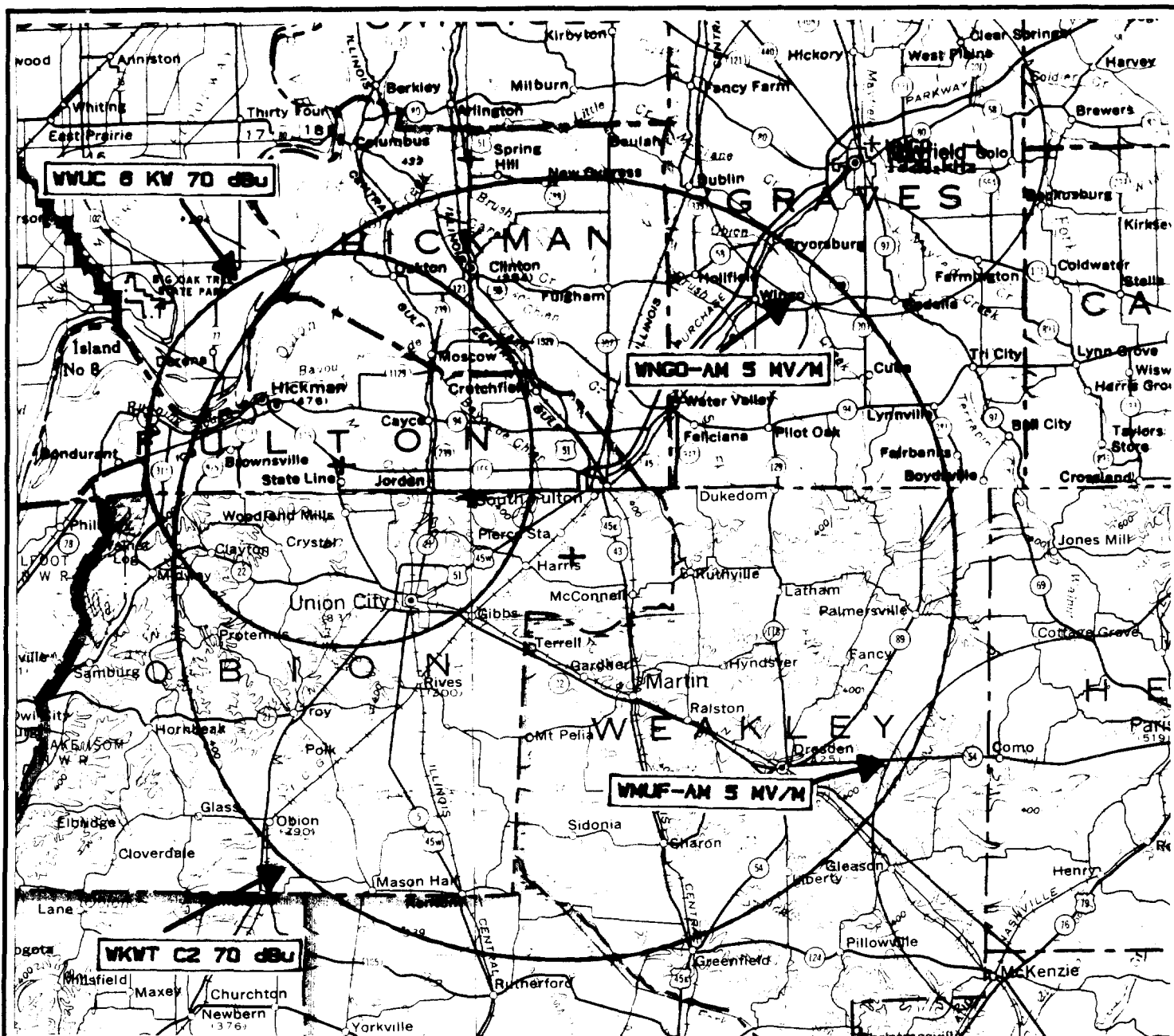
AUGUST 1994

**BROMO**  
COMMUNICATIONS

BROADCAST  
TECHNICAL CONSULTANTS

St Simons Island, Georgia

Washington, D.C.



NEARBY AM STATIONS

**EXHIBIT #2**  
**TWIN STATES BROADCASTING**  
**DUOPOLY STUDY**  
**WKWT / WWUC**  
**UNION CITY, TENNESSEE**

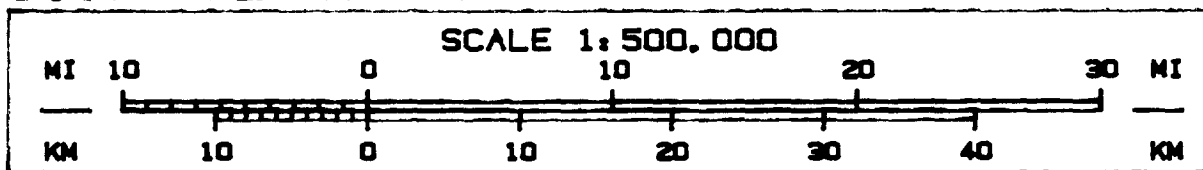
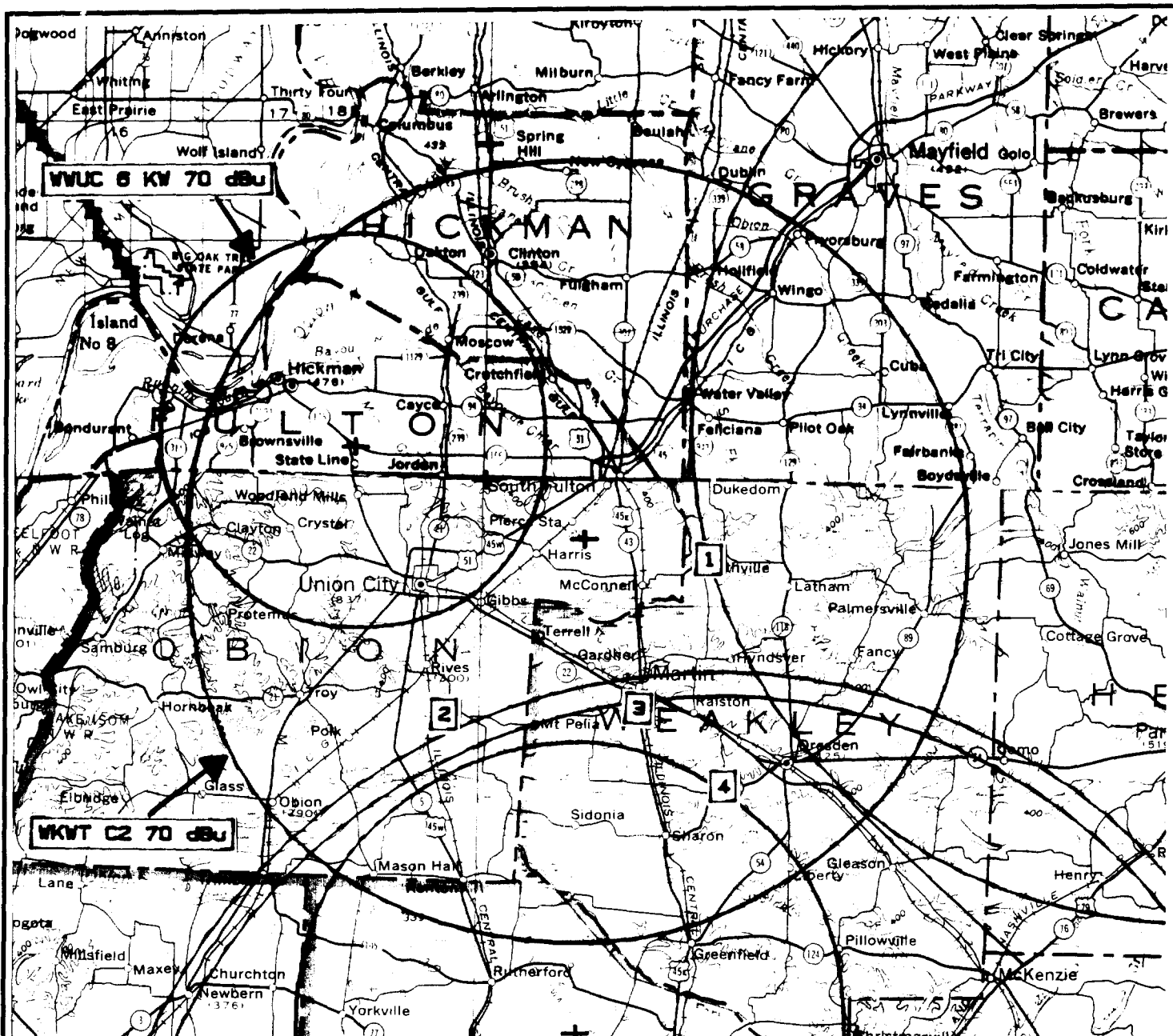
AUGUST 1984

**BROMO**  
**COMMUNICATIONS**

St Simons Island, Georgia

BROADCAST  
 TECHNICAL CONSULTANTS

Washington, D.C.



### NEARBY FM STATIONS

ALL CONTOURS ARE 70 dBu CITY GRADE.

**EXHIBIT #3**  
**TWIN STATES BROADCASTING**  
**DUOPOLY STUDY**  
**WKWT / WWUC**  
**UNION CITY, TENNESSEE**

AUGUST 1994

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St Simons Island, Georgia

Washington, D.C.